

REMARKS/ARGUMENTS

Claims 1-2 and 4-11 and 13-24 are pending in this application. By this amendment, Applicants amend claims 1, 5, 11, 18 and 23. In addition, Applicants add new claims 25-27. Support for the amendments is found in the specification. No new matter is added.

Reconsideration of claims 1-2, 4-11 and 13-24, as well as consideration of claims 25-27, is respectfully requested. Applicants have carefully reviewed the Office Action and believe the case is in condition for allowance in view of the amendments and the remarks made below.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102

1. Claims 1-2, 4, 7, 8, 11, 15 18-21 and 23-24 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Young*. Applicants respectfully traverse these rejections.

The Section 102 rejection is proper only if each and every element, as set forth in the claim, is found – i.e., the prior art must teach every aspect of the claim. *See Verdegaall Bros. v. Union Oil Co. of California*, 918 F.2d 628, 631 (Fed. Cir. 1987); *see also* M.P.E.P. § 2131. As set forth below, *Young* does not teach or suggest the combination recited by Applicants' claims.

Applicants' independent claim 1, and its dependent claims 2, 4-10 and 21-26, recite, "a second chamber contained within the housing and configured to allow an end of a pipe to slide through it and to provide a substantially sealed bridge for material flowing through the pipe and a second pipe when an end of the pipe does not contact an end of the second pipe." In contrast, *Young* is directed to a pipe joint wherein a flared end of a pipe is "wedged between and in direct contact with the coniform portion of" a hollow coupling member, or housing, "and the inner end of the flared portion of the pipe [is] forced into intimate contact with the conical end of said spigot." (*See Young*, claim 1, col. 3, ll. 53-59.)

The Examiner suggested that “the base surface of 17 is configured to act as a bridge containing fluid within the nut 5 if the threads on 5 and 16 were engaged, but 12 had not yet contacted 13.” (See Office Action, p. 1, ll. 17-19.) However, if the threads on 5 and 16 were engaged, but 12 had not yet contacted 13, the base surface of 17 would not provide a sealed bridge between the pipes. Instead, the threads on 5 and 16 would not be sufficiently tightly engaged to provide a seal, because in *Young* it is the contact of 12 and 13 that causes the threads on 5 and 16 to tightly engage.

Thus, *Young* does not teach or suggest every aspect of Applicants’ independent claim 1 and its dependent claims 2, 4-10 and 21-26, because *Young* does not include each and every element, as set forth in Applicants’ claims. At least for these reasons, Applicants respectfully request that the rejections under Section 102 as being anticipated by *Young* be removed with respect to claim 1 and its dependent claims 2, 4, 7, 8, 21 and 23-24.

With respect to independent claim 11, and its dependent claims 13-17 and 27, *Young* does not teach or suggest a combination recited by claim 11 and its dependent claims. Applicants’ claim 11, and its dependent claims, recite in part, “means for housing a pipe configured to allow an end of a first pipe to slide through it when the means for housing is tightly attached to an end of a second pipe.”

In contrast, as explained above, *Young* is directed to a pipe joint wherein a flared end of a pipe is “wedged between and in direct contact with the coniform portion of” a hollow coupling member, or housing, “and the inner end of the flared portion of the pipe [is] forced into intimate contact with the conical end of said spigot.” (See *Young*, claim 1, col. 3, ll. 53-59.) The forced contact of the two pipes causes the threads on 5 and 16 to tightly engage. Thus, when the threads

of *Young* are tightened, by definition the pipe cannot be free to slide back and forth. Instead, the pipe is fixed relative to the means for housing.

Thus, *Young* does not teach or suggest every aspect of Applicants' independent claim 11 and its dependent claims 13-17 and 27, because *Young* does not include each and every element, as set forth in Applicants' claim. Therefore, at least for these reasons Applicants respectfully request that the rejections of claim 11 and its dependent claims 15-17 be removed under 35 U.S.C. § 102 as being anticipated by *Young*.

With respect to independent claim 18 and its dependent claims 19-20, *Young* does not teach or suggest a combination including a method including "bridging in a substantially sealed manner material carried by the pipe with the slip joint adapter between two non-contacting pipe ends while the pipe is free to slide through the slip joint adapter," as recited by Applicants' independent claim 18 and its dependent claims.

As explained above, *Young* is directed to a pipe joint wherein a flared end of a pipe is "wedged between and in direct contact with the coniform portion of" a hollow coupling member, or housing, "and the inner end of the flared portion of the pipe [is] forced into intimate contact with the conical end of said spigot." (See *Young*, claim 1, col. 3, ll. 53-59.) The Examiner asserted that *Young* teaches "bridging material carried by the pipe with the slip joint adapter between two noncontacting pipe ends," as indicated by item 18 of *Young*. (See Office Action, p. 4, ll. 6-7.) However, item 18 is a split ring in an annular groove and does not provide a method including "bridging in a substantially sealed manner material carried by the pipe with the slip joint adapter between two non-contacting pipe ends while the pipe is free to slide through the slip joint adapter."

Thus, *Young* does not teach or suggest every aspect of Applicants' independent claim 18 and its dependent claims 19-20, because *Young* does not include each and every element, as set forth in Applicants' claims. Therefore, at least for these reasons Applicants respectfully request that the rejections of claim 18 and its dependent claims 19-20, under 35 U.S.C. § 102 as being anticipated by *Young*, be removed.

2. Claims 1-2, 4-7, 9-14, 16-19 and 23-24 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Rubin, et al.* Applicants respectfully traverse these rejections.

Applicants' independent claim 1, and its dependent claims 2, 4-10 and 21-26, recite, "a second chamber contained within the housing and configured to allow an end of a pipe to slide through it and to provide a substantially sealed bridge for material flowing through the pipe and a second pipe when an end of the pipe does not contact an end of the second pipe." In contrast, *Rubin, et al.* is directed to a universal oxygen connector system wherein "the first input end mak[es] a flush abutment with the first source of oxygen at the output orifice" (see *Rubin, et al.*, claim 1, col. 6, ll. 64-66), or in an alternative embodiment "an output end of a reduced diameter with an axial bore [is] adapted to couple within the first input end of [a] tube" (see *id.*, claim 4, col. 8, ll. 36-38).

The Examiner suggests that "the second chamber is configured to act as a bridge when 36 is partially tightened to 18, but not tightened enough that 14 contacts surface 26." (See Office Action, p. 5, ll. 11-13.) However, if 36 is partially tightened to 18, but not tightened enough that 14 contacts surface 26, the alleged second chamber would not provide a sealed bridge between the pipes. Instead, the threads on 36 and 18 would not be sufficiently tightly engaged to provide

a seal, because in *Rubin, et al.* it is the contact of 14 and surface 26 that causes the threads on 36 and 18 to tightly engage.

There is no teaching or suggestion in *Rubin, et al.* of a combination including “a second chamber contained within the housing and configured to allow an end of a pipe to slide through it and to provide a substantially sealed bridge for material flowing through the pipe and a second pipe when an end of the pipe does not contact an end of the second pipe.” Thus, *Rubin, et al.* does not teach or suggest all of the claim limitations of Applicants’ independent claim 1 and its dependent claims 2, 4-10 and 21-26, because the prior art references do not include each and every element, as set forth in Applicants’ claims. Therefore, at least for these reasons Applicants respectfully request the Examiner to remove the rejections of claim 1 and its dependent claims 2, 4-7, 9-10 and 23-24 under 35 U.S.C. § 102(b) as being anticipated by *Rubin, et al.*

With respect to independent claim 11 and its dependent claims 13-17 and 27, *Rubin, et al.* does not teach or suggest the combination recited in the claims. Claim 11, and its dependent claims, recite in part, “means for housing a pipe configured to allow an end of a first pipe to slide through it when the means for housing is tightly attached to an end of a second pipe.”

In contrast, as described above, *Rubin, et al.* uses two pipe ends abutted to each other, or alternatively, one pipe inserted into the other. Thus, the pipe in *Rubin, et al.* is not free to slide when the means for housing is tightly attached to a second pipe. Instead, in *Rubin, et al.* the forced contact of the two pipes causes the threads on 36 and 18 to tightly engage. Thus, when the threads of *Rubin, et al.* are tightened, by definition the pipe cannot be free to slide back and forth, but rather is fixed relative to the means for housing.

Thus, *Rubin, et al.* does not teach or suggest every aspect of Applicants’ independent claim 11 and its dependent claims 13-17 and 27, because *Rubin, et al.* does not include each and

every element, as set forth in Applicants' claim. Therefore, at least for these reasons Applicants respectfully request that the Examiner remove the rejections of claim 11 and its dependent claims 13-14 and 16-17 under 35 U.S.C. § 102(b) as being anticipated by *Rubin, et al.*

With respect to independent claim 18 and its dependent claims 19-20, *Rubin, et al.* does not teach or suggest a combination including a method "bridging in a substantially sealed manner material carried by the pipe with a slip joint adaptor between two non-contacting pipe ends while the pipe is free to slide through the slip joint adapter," as recited by independent claim 18 and its dependent claims. In contrast, *Rubin, et al.* discloses two pipe ends in direct abutment with each other, or alternatively, one pipe fitting inside the other. Thus, *Rubin, et al.* cannot bridge material in a substantially sealed manner between two non-contacting pipe ends while the pipe is free to slide.

Thus, *Rubin, et al.* does not teach or suggest every aspect of Applicants' independent claim 18 and its dependent claims 19-20, because *Rubin et al.* does not include each and every element, as set forth in Applicants' claims. Therefore, at least for these reasons Applicants respectfully request that the Examiner remove the rejections of claim 18 and its dependent claim 19 under 35 U.S.C. § 102(b) as being anticipated by *Rubin, et al.*

3. Claims 1-2, 4, 10-11, 13-19 and 21-22 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Shurtleff*. Applicants respectfully traverse these rejections.

Applicants' independent claim 1, and its dependent claims 2, 4-10 and 21-26, recite in part "a first chamber contained within the housing and configured to allow a pipe to slide through it," and "a second chamber contained within the housing and configured to allow an end of a pipe to slide through it and to provide a substantially sealed bridge for material flowing

through the pipe and a second pipe when an end of the pipe does not contact an end of the second pipe.”

In contrast, *Shurtleff* is directed to a conduit coupling, including two fittings 1, 2 and a coupling nut 3, “that automatically rupture[s] seals for the conduits when the conduits are connected.” (See *Shurtleff*, col. 2, ll. 8-10.) The coupling disclosed in *Shurtleff* does not permit the pipe to slide through it. Instead, the coupling nut 3 “is provided at its rear end with an inwardly projecting flange 15 that is held against the back side of a flange 16 on the fitting by means of a snap ring 17 in a groove in the fitting.” (See *Shurtleff*, col. 2, ll. 49-53.) That is, the pipe fitting 2 of *Shurtleff* is constrained from sliding relative to the coupling nut 3 in one direction by a flange 16, and in the opposite direction by a snap ring 17.

Furthermore, as opposed to Applicants’ slip joint adapter, the coupling of *Shurtleff* includes a lip 13 that “is deformed by the first fitting and the lip slides into it in tight engagement with its inner surface as shown in FIG. 2, so that there can be no leakage between them.” (See *Shurtleff*, col. 2, ll. 69-72 and col. 3, l. 1.) That is, there can be no leakage between the first fitting 1 and the lip 13. Thus, as depicted in FIG. 2 of *Shurtleff*, the coupling nut 3, which the Examiner equates to Applicants’ housing (See Office Action, p. 8, l. 15), does not provide a substantially sealed bridge for material flowing through the pipe and a second pipe. Instead, the material flowing through the pipe and a second pipe is confined by the lip 13 and the first fitting 1. (See *Shurtleff*, FIG. 2.)

Moreover, even if the coupling nut 3 were backed away from the first fitting so that material could pass between the lip and the first fitting, the alleged second chamber still would not provide a sealed bridge between the pipes. Instead, in a manner similar to the discussions

regarding the other references above, the threads on the coupling nut 3 and the first fitting 1 would not be sufficiently tightly engaged to provide a seal.

Therefore, *Shurtleff* does not teach or suggest every aspect of Applicants' independent claim 1 and its dependent claims 2, 4-10 and 21-26, because the prior art references do not include each and every element, as set forth in Applicants' claims. Therefore, at least for these reasons Applicants respectfully request the Examiner to remove the rejections of claim 1 and its dependent claims 2, 4, 10, and 21-22 under 35 U.S.C. § 102(b) as being anticipated by *Shurtleff*.

With respect to independent claim 11 and its dependent claims 13-17 and 27, *Shurtleff* does not teach or suggest the combination recited in the claims. For example, claim 11, and its dependent claims, recite in part, "means for housing a pipe configured to allow an end of a first pipe to slide through it when the means for housing is tightly attached to an end of a second pipe."

In contrast, the coupling nut 3 of *Shurtleff* "is provided at its rear end with an inwardly projecting flange 15 that is held against the back side of a flange 16 on the fitting by means of a snap ring 17 in a groove in the fitting." (See *Shurtleff*, col. 2, ll. 49-53.) Thus, the pipe fitting 2 of *Shurtleff* is constrained from sliding relative to the coupling nut 3 in one direction by a flange 16, and in the opposite direction by a snap ring 17.

Thus, *Shurtleff* does not teach or suggest every aspect of Applicants' independent claim 11 and its dependent claims 13-17 and 27, because *Shurtleff* does not include each and every element, as set forth in Applicants' claims. Therefore, at least for these reasons Applicants respectfully request that the Examiner remove the rejections of claim 11 and its dependent claims 13-17 under 35 U.S.C. § 102(b) as being anticipated by *Shurtleff*.

With respect to independent claim 18 and its dependent claims 19-20, *Shurtleff* does not teach or suggest a method as recited by these claims. For example, claim 18 recites in part, a method including “bridging in a substantially sealed manner material carried by the pipe with the slip joint adapter between two non-contacting pipe ends while the pipe is free to slide through the slip joint adapter.”

In contrast, the pipe disclosed in *Shurtleff* is not free to slide through the coupling while material is bridged in a substantially sealed manner between two non-contacting pipe ends. As explained above, the coupling nut 3 “is provided at its rear end with an inwardly projecting flange 15 that is held against the back side of a flange 16 on the fitting by means of a snap ring 17 in a groove in the fitting.” (See *Shurtleff*, col. 2, ll. 49-53.) Thus, the pipe fitting 2 of *Shurtleff* is constrained from sliding relative to the coupling nut 3 in one direction by a flange 16, and in the opposite direction by a snap ring 17.

Thus, *Shurtleff* does not teach or suggest every aspect of Applicants’ independent claim 18 and its dependent claims 19-20, because *Shurtleff* does not include each and every element, as set forth in Applicants’ claims. Therefore, at least for these reasons Applicants respectfully request that the Examiner remove the rejections of claim 18 and its dependent claim 19 under 35 U.S.C. § 102(b) as being anticipated by *Shurtleff*.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

Claim 21 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Rubin, et al.* in view of *Hampe, et al.* Applicants respectfully traverse this rejection. Applicants’ claim 21 depends from independent claim 1, which is believed to be patentable over *Rubin, et al.* at least for the reasons described above, and thus is believed to be in condition for allowance.

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Therefore, claim 21 is patentable over *Rubin, et al.* in view of *Hampe, et al.* for at least the same reasons that independent claim 1 is patentable over *Rubin, et al.* Therefore, at least for these reasons Applicants respectfully request that the Examiner remove the rejection of claim 21 under 35 U.S.C. § 103(a) as being unpatentable over *Rubin, et al.* in view of *Hampe, et al.*

CONCLUSION

In view of the foregoing remarks, Applicants respectfully request the objections and rejections be removed and the pending claims allowed. If, for any reason, the Examiner disagrees, please call the undersigned attorney at 202-861-1567 in an effort to resolve any matter still outstanding before issuing another action. The undersigned attorney is confident that any issue which might remain can readily be worked out by telephone.

In the event this paper is not time filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036.

Respectfully submitted,

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